

## **AMENDMENTS TO THE CLAIMS**

The following listing of claims replaces all prior listings, and all prior versions, of claims in the application.

### **LISTING OF CLAIMS:**

1. (Currently Amended) A position measuring apparatus for measuring a position of a tool and indicating a position where the tool is working, the position measuring apparatus comprising:

a position indicating means for indicating a position and a direction of a surgical tool, said position indicating means comprising a pair of laser beam emitting means for emitting respective laser beams that intersect at one of in a plane-like manner towards a surgical field of a patient and a predetermined portion of the tool;

a three-dimensional position measuring means for measuring a position and a direction of a said surgical field and also the position and the direction of said tool, surgical tool; said position indicating means and said three-dimensional position measuring means being fixed on a common base, so that relative positional relationship therebetween is constant; and

a control unit for controlling operation of said position indicating means and said three-dimensional position measuring means; means,

wherein said position indicating means and said three-dimensional position measuring means being fixed, so that relative positional relationship therebetween is constant; and

wherein said control unit controls said pair of laser beam emitting means to emit the respective laser beams to intersect at an intersection point on the surgical field of the patient which identifies a placement location for the tool, and

wherein, after the tool has been moved to the placement location, said

~~control unit controls said pair of laser beam emitting means to emit the respective laser beams on the predetermined portion of the tool~~

wherein said direction for said surgical tool is given in a form of an intersection line.

2. (Cancelled).

3. (Currently Amended) A position measuring apparatus, as described in the ~~claim 2~~claim 1, wherein said position measuring apparatus is held on a stand, which is changeable, ~~at position and with any direction thereof, the stand having casters to be movable~~ in its position and direction by being movable while keeping the relative positional relationship between said position indicating means and said three-dimensional position measuring means.

4. (Currently Amended) A position measuring apparatus, as described in the ~~claim 2~~claim 1, wherein said position measuring apparatus is held by an arm, the arm extending from a ceiling and being changeable ~~at least either one of~~ in a position and a direction ~~of the position measuring apparatus~~ by being movable while keeping the relative positional relationship between said position indicating means and said three-dimensional position measuring means.

5. (Original) A position measuring apparatus, as described in the claim 1, wherein said position measuring apparatus is used for indicating a position and a direction of a surgical tool during a surgical operation.

6. (Currently Amended) A position measuring apparatus, as described in the claim ~~2~~claim 1, wherein said position measuring apparatus is used for indicating a position and a direction of a surgical tool during a surgical operation further comprising means for calculating setting position and direction of said laser emitting means from the emit angle of the laser beam and a laser beam emitting position that is measured by said three-dimensional position measuring means.

7. – 13. (Cancelled).